

Board Bill 83

Informational Presentation

Budget and Public Employees
November 29, 2023



What Does BB83 Do? Big Picture

- BB 83 is an employee retention policy for contracted employees of the City or City Agencies.
 - This will cover employees performing
 - Janitorial and Security Services defined as:
 - Work performed in connection with the care, maintenance, or security of a building or property and includes, but is not limited to, work performed by a watchman, security officer, door staff, building cleaner, handyman, janitor, elevator operator, window cleaner, and/or groundskeeper.



What Does BB83 Do? Section By Section

Whereas Clauses/Preamble

- The preamble describes the need to such a policy, citing reasons such as:
 - Avoiding an interruption in services
 - Retention of experienced and knowledgeable employees
 - Limiting wasted administrative costs



What Does BB83 Do? Section By Section

Definitions

Some of the key terms defined in the bill

- “City Agency” - Defined as having the same meaning as Section 3.99.010(c) of the City of St. Louis Revised Code
 - City Agency" shall include any agency, office, position, administration, department, division, bureau, board, commission, or other unit, affiliate, or subdivision of the City, and any other entity over which majority control is exercised by officers or employees of the City or by their appointees, or which awards contracts or financial assistance that is funded by the City. This definition shall include any Department of the City, the City of St. Louis Airport Authority, the Planned Industrial Expansion Authority, the Land Clearance for Redevelopment Authority, the Industrial Development Authority, the Community Development Agency, the Local Development Company and the St. Louis Development Corporation.



What Does BB83 Do? Section By Section

Definitions Cont.

- “Former Contractor” - Meaning any individuals, proprietorship, or corporation holding a service contract prior to the end or termination of such contract.
- “Successor Contractor” - Meaning any individuals, proprietorships, corporation, or other entity that has been awarded a service contract to provide janitorial and/or security services.



What Does BB83 Do? Section By Section

Section Two. Protections

- Upon the end or termination of a contract, the Successor Contractor shall retain for a period of 90-days those janitorial or security employees employed by the Former Contractor or Former Subcontractor
- If a Successor Contractor determines that fewer employees are required to perform the same job, they are to retain employees by seniority and maintain a preferential list of those employees not retained for a period of 90-days.
- During the retention period employees may only be discharged with just cause.
- After such 90-Day retention period, the Successor Contractor must perform a written performance review and make an offer of employment to satisfactory employees.



What Does BB83 Do? Section By Section

Section Two. Protections Cont.

- BB83 does not restrict the Successor Contractor from performing background checks, testing, or other investigation as determined by their personnel policies.

Section Three. Exemptions

- Any Successor Contractor who on or before the effective date of their service contract agrees to the collective bargaining agreement of the Former Contractor; provided the agreement lays out provisions for firing and laying off of employees.



What Does BB83 Do? Section By Section

Section Three. Exemptions Cont.

- Any Successor Contractor who on or before the effective date of their service contract enters into a new collective bargaining agreement, agreeing to retain the employees and containing terms for the discharge and laying off of employees.
- The Successor Contractor provided a written commitment to the Former Contractor that they will retain the employees and said employees will be covered by a collective bargaining agreement.



What Does BB83 Do? Section By Section

Section Four. Violations

- Any Contract holders found to be in violation of this ordinance will be subject to a fine of \$500, the maximum fine as permitted by the City Charter.
 - Section 2 subsection g defines a violation as non-compliance of the provisions of Section 2 subsections c, d, and e



What Does BB83 Do? Section By Section

Section Five. Outsourcing of Services Completed by City Employees

- In the event the City or a City Agency outsources janitorial or security services being fulfilled by City employees; the Successor Contractor must agree to the provisions of this ordinances relating to the retention of such employees.

Section Six. Severability

- Making all sections and provisions of this bill severable to all other sections or provisions.

Section Seven. Effective Date

- The provisions of BB83 shall become effective 60 days after the signature of the Mayor or passage over their veto.



Frequently Asked Questions

- Will BB83 affect civil service employees?
 - This bill will not affect on civil service employees.
- Will employees be required to be part of or join a union?
 - There is no requirement for employees to be part of any union.
- Why is this bill important?
 - BB83 aims to help mitigate any potential disruptions in services or loss of knowledgeable and experienced employees.



QUESTIONS?

